

LAW OFFICE OF EMMANUEL ROY, P.C.

26 COURT STREET, SUITE 2302, BROOKLYN, NY 11242 -TEL: 718-797-2553 FAX: 718-797-3994

PETER U. MAYAS, ESQUIRE
CONSTANTINE GIANANAKOS, ESQUIRE
OF COUNSEL

MARIE J. MARKS, J.D. PARALEGAL
PRISCILLA ADAMES, LEGAL ASSISTANT

October 10, 2006

Honorable Michael L. Orenstein
United States Magistrate Judge
Federal Courthouse
N. Spur Drive
Central Islip, New York 11789

Re: **Riley v. Suffolk County**
CV 05-5168(JS)

Dear Magistrate Orenstein:

I am the attorney representing the above plaintiff, and I write to seek your intervention in scheduling depositions in this matter. I have attempted to schedule depositions several times in this matter. The first time was in August of 2006 when I was informed that Mr. Brian C. Mitchell was in trial in another matter. The second time was in September after Mr. Brian provided me with three dates that apparently were good dates for the police officers involved in this matter. It turned out that those dates were not good as Mr. Mitchell I believe was on vacation.

November 1, 2006 is the deadline for completion of all discoveries. I am afraid that we will not have enough time to complete discovery in this matter if the officers are not deposed before October 23, 2006. I have sent out again two other Notices to take the depositions of Officers George Hodge, and office Anthony E. Pascucci on October 23, 2006. I have not been able to contact Mr. Brian even though I called his office several times leaving at least three messages with his secretary and one message on his voice mail.

I am requesting that your honor issue an Order directing that the above defendants make themselves available to be deposed on October 23, 2006, or in the alternative the

Court may grant both parties sixty (60) days to complete discovery.

Sincerely,

Emmanuel Roy, Esquire
(ER-1756)
Attorney for the Plaintiffs
26 Court Street - Suite 2302
Brooklyn, New York 11242
(718) 797-2553

TO:

Brian C. Mitchell, Esquire
Assistant County Attorney
Suffolk County Attorney Office
H. Lee Dennison Building
P.O. Box 6100
Hauppauge, New York 11787
Attorney for Defendants
BY ECF